

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re)	Chapter 9
City of Detroit,)	Case No. 13-53846
Debtor - Appellee)	Hon. Steven W. Rhodes
)	
William Ochadleus, <i>et. al.</i>)	
Creditors - Appellants)	

**OCHADLEUS APPELLANTS DESIGNATION OF THE CONTENTS OF THE
RECORD AND STATEMENT OF ISSUES ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, Appellants' submit this designation of the contents of the record and statement of issues on appeal regarding the Appellants' Notice of Appeal [Dkt. #8340] filed on November 19, 2014, pursuant to 28 U.S.C. § 158(a)(1) and Rules 8001(a) and 8002(b) of the Federal Rules of Bankruptcy Procedure from the Order Confirming Eighth Plan of Adjustment (Doc. 8045) of the Debts of the City of Detroit (Dkt. # 8272) entered on November 12, 2014.

Appellants designate items from the Bankruptcy Court docket to be included in the record on this appeal to the United States District Court for the Eastern District of Michigan, as follows:

I. Designation of the contents of the record on appeal.

ITEM	DATE FILED	DOCKET NUMBER	DESCRIPTION
1	07/18/2013	1	Voluntary Petition for City of Detroit, Michigan
2	07/18/2013	10	Declaration /Statement of <i>Qualifications Pursuant to Section 109(c) of the Bankruptcy Code</i> Filed by Debtor In Possession City of Detroit, Michigan
3	07/18/2013	11	Declaration of <i>Keyvn D. Orr</i> in <i>Support of City of Detroit, Michigan's Statement of Qualifications Pursuant to Section 109(c) of the Bankruptcy Code</i> Filed by Debtor In Possession City of Detroit, Michigan. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C # 4 Exhibit D # 5 Exhibit E # 6 Exhibit F # 7 Exhibit G # 8 Exhibit H # 9 Exhibit I # 10 Exhibit J # 11 Exhibit K # 12 Exhibit L)
4	07/18/2013	12	Declaration of <i>Gaurav Malhotra</i> in <i>Support of City of Detroit, Michigan's Statement of Qualifications Pursuant to Section 109(c) of the Bankruptcy Code</i> Filed by Debtor In Possession City of Detroit, Michigan.
5	07/18/2013	13	Declaration of <i>Charles M. Moore</i> in <i>Support of City of Detroit, Michigan's Statement of Qualifications Pursuant to Section 109(c) of the Bankruptcy Code</i> Filed by Debtor In Possession City of Detroit, Michigan.
6	07/19/2013	14	Memorandum in <i>Support of Statement of Qualifications Pursuant to Section 109(c) of the Bankruptcy Code</i>

			Filed by Debtor In Possession City of Detroit, Michigan
7	07/19/2013	20	Motion of Debtor, Pursuant to Section 1102(a)(2) of the Bankruptcy Code, for Entry of an Order Directing the Appointment of a Committee of Retired Employees Filed by Debtor In Possession City of Detroit, Michigan
8	07/25/2013	141	Objection to (related document(s): 53 Motion of Debtor, Pursuant to Section 105(a) of the Bankruptcy Code, for Entry of an Order Confirming the Protections of Sections 362, 365 and 922 of the Bankruptcy Code, 56 Motion of Debtor, Pursuant to Section 105(a) of the Bankruptcy Code, for Entry of an Order, Extending the Chapter 9 Stay to Certain (A) State Entities, (B) Non-Officer Employees and (C) Agents and Representatives of the Debtor) Objection of the Retirement Systems to Motions of Debtor for Entry of Orders (I) Confirming the Protections of Sections 362, 365 and 922 of the Bankruptcy Code, and (II) Extending the Chapter 9 Stay to Certain (A) State Entities, (B) Non-Officer Employees and (C) Agents and Representatives of the Debtor Filed by Creditors General Retirement System of the City of Detroit, Police and Fire Retirement System of the City of Detroit.
9	07/23/2013	56	Motion of Debtor, Pursuant to Section 105(a) of the Bankruptcy Code, for Entry of an Order Extending the Chapter 9 Stay to Certain (A) State Entities, (B) Non-

			Officer Employees and (C) Agents and Representatives of the Debtor
10	08/19/2013	166	Order Pursuant to Section 105(a) of the Bankruptcy Code Extending the Chapter 9 Stay to Certain (A) State Entities, (B) Non Officer Employees and (C) Agents and Representatives of the Debtor
11	08/19/2013	481	Brief <i>Attorney General Bill Schuette's Statement Regarding the Michigan Constitution and the Bankruptcy of the City of Detroit</i> Filed by Interested Party Bill Schuette (RE: related document(s)) <u>1</u> Voluntary Petition (Chapter 9).
12	08/19/2013	502	Objection to Eligibility to Chapter 9 Petition Filed by Interested Parties Detroit Retired City Employees Association, Shirley V Lightsey, Retired Detroit Police and Fire Fighters Association, Donald Taylor, Creditors Shirley V Lightsey, Donald Taylor (Attachments: #1 Index of Exhibits #2 Exhibit A-Declaration of Shirley V. Lightsey #3 Exhibit B - Declaration of Donald Taylor)
13	08/19/2013	506	Objection to Eligibility to Chapter 9 Petition Filed by Creditor International Union, United Automobile, Aerospace and Agricultural Implement Workers of America
14	08/19/2013	509	Corrected Objection to Eligibility to Chapter 9 Petition <i>Kreisberg Declaration</i> Filed by Creditor Michigan Council 25 Of The American Federation of State,

			County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees (Attachments: #1 Exhibit 1 #2 Exhibit 2 #3 Exhibit 3 #4 Exhibit 4 #5 Exhibit 5 #6 Exhibit 6 #7 Exhibit 7 #8 Exhibit 8 #9 Exhibit 9 #10 Exhibit 10 #11 Exhibit 11 #12 Exhibit 12 #13 Exhibit A #14 Exhibit B #15 Exhibit C) Related (Doc. <u>505</u>)
15	08/19/2013	512	Objection to Eligibility to Chapter 9 Petition , <i>Brief in Support</i> , <i>Certificate of Service</i> Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, Detroit Police Lieutenants and Sergeants Association, Detroit Police Officers Association (Attachments: #1 Exhibit A - Declaration of Mark Diaz #2 Exhibit A-1 (PART 1) Award #3 Exhibit A-1 (Part 2) #4 Exhibit A-1 (Part 3) #5 Exhibit A-2 Interim Award #6 Exhibit B McNamara Declaration and Ex 1 and 2 #7 Exhibit C - Young Declaration #8 Exhibit D
16	08/26/2013	519	Objection to Eligibility to Chapter 9 Petition <i>Objection of the Detroit Retirement Systems to the Eligibility of the City of Detroit, Michigan to Be a Debtor Under Chapter 9 of the Bankruptcy Code</i> Filed by Creditors General Retirement System of the City of Detroit, Police and Fire Retirement System of the City of Detroit (Attachments: #1 Exhibit

			List #2 Exhibit 1 #3 Exhibit 2 #4 Exhibit 3 #5 Exhibit 4 #6 Exhibit 5 #7 Exhibit 6 #8 Exhibit 7-1 #9 Exhibit 7-2)
17	08/26/2013	520	Objection to Eligibility to Chapter 9 Petition Filed by Creditor Retired Detroit Police Members Association
18	0910/2013	642	Order Regarding Eligibility Objections Notices of Hearings and Certifications Pursuant to 28 U.S.C. Section 2403(a) & (b) (RE: related document(s)) <u>335</u> Objection to Eligibility to Chapter 9 Petition
19	09/11/2013	805	Objection to Eligibility to Chapter 9 Petition of <i>The City of Detroit, Michigan to be a Debtor Under Chapter 9 of The Bankruptcy Code</i> Filed by Retiree Committee Official Committee of Retirees Related (Doc. <u>806</u>)
20	10/14/2013	954	Motion <i>The Objectors' Motion to Admit Certain Deposition Testimony of Kevyn Orr and Kenneth Buckfire</i> Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Index - Summary of Exhibits # 2 Exhibit 1 - Proposed Order # 3 Exhibit 2 - Notice # 4 Exhibit 3 - Brief [Not Required] # 5 Exhibit 4 - Certificate of Service [To be Filed] # 6 Exhibit 5 - Affidavit [N/A] # 7 Exhibit 6-A - Objectors' Designations From August 30, 2013 Deposition of Kevyn Orr # 8 Exhibit 6-B - Objectors' Designations From August 29, 2013 Deposition of Kenneth Buckfire # 9

			Exhibit 6-C - Excerpts From Deposition of Kevyn Orr # 10 Exhibit 6-D - Excerpts From Deposition of Kenneth Buckfire)
21	10/17/2013	1149	Memorandum in Support of Constitutionality of Chapter 9 of Title 11 of the United States Code Filed by Interested Party United States of America (RE: related document(s) <u>821</u> Amended Order, Order To Set Hearing)
22	10/17/2013	1227	Brief The Michigan Council 25 of the American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees Pretrial Brief Regarding the City of Detroit's Eligibility to Obtain Relief Under Chapter 9 of the Bankruptcy Code Filed by Creditor Michigan Council 25 Of The American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees.
23	10/17/2013	1229	Brief (pretrial) in opposition to eligibility Filed by Interested Parties Detroit Retired City Employees Association, Shirley V Lightsey, Retired Detroit Police and Fire Fighters Association, Donald Taylor.
24	10/17/2013	1230	Brief (Pre-Trial) Opposing Eligibility Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, Detroit Police Lieutenants and Sergeants

			Association, Detroit Police Officers Association
25	10/17/2013	1231	Brief <i>Retired Detroit Police Members Association's Pretrial Brief, Proposed Findings of Fact and Proposed Conclusions of Law</i> Filed by Creditor Retired Detroit Police Members Association. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C)
26	10/17/2013	1235	Brief ~ <i>Pre-Trial Brief of International Union, UAW and the Flowers Plaintiffs with Respect to the Eligibility of the City of Detroit, Michigan for an Order for Relief Under Chapter 9 of the Bankruptcy Code</i> Filed by Creditor International Union, United Automobile, Aerospace and Agricultural Implement Workers of America.
27	10/17/2013	1240	Corrected Brief / <i>City of Detroit's Pre-Trial Brief in (i) Support of Entry of an Order for Relief and (ii) Opposition to Objections Requiring the Resolution of Issues of Material Fact</i> Filed by Debtor In Possession City of Detroit, Michigan. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C # 4 Exhibit D # 5 Exhibit E # 6 Exhibit F # 7 Exhibit G # 8 Exhibit H # 9 Exhibit I)
28	10/17/2013	1241	Brief (<i>Pretrial</i>) in <i>Opposition of Eligibility</i> Filed by Retiree Committee Official Committee of Retirees.
29	10/17/2013	1242	<i>Declaration in Support of Pre-Trial Brief in Opposition to Eligibility</i> Filed

			by Retiree Committee Official Committee of Retirees. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C # 4 Exhibit D # 5 Exhibit E # 6 Exhibit F # 7 Exhibit G # 8 Exhibit H)
30	10/18/2013	1244	Brief <i>Pre-Hearing Brief of the Detroit Retirement Systems in Support of Their Eligibility Objections Specifically Pursuant to Sections 109(c) (5) and 921(c) of the Bankruptcy Code</i> Filed by Creditors General Retirement System of the City of Detroit, Police and Fire Retirement System of the City of Detroit.
31	12/04/2013	1245	Exhibit List of Exhibits to: <i>Pre-Hearing Brief of the Detroit Retirement Systems in Support of Their Eligibility Objections Specifically Pursuant to Sections 109(c)(5) and 921(c) of the Bankruptcy Code [Dkt. No. 1244]</i> Filed by Creditors General Retirement System of the City of Detroit, Police and Fire Retirement System of the City of Detroit. (Attachments: # 1 Exhibit A # 2 Exhibit B # 3 Exhibit C - Part 1 # 4 Exhibit C part 2 # 5 Exhibit D)
32	12/04/2013	1933	Motion of the Detroit Retirement Systems to Certify This Court's Eligibility Ruling for Direct Appeal to the Sixth Circuit Court of Appeals (RE: Notice of Appeal [Dkt. No. 1930]) Filed by Creditors General Retirement System of the City of Detroit, Police and Fire Retirement System of the City of Detroit

33	12/05/2013	1936	Motion Request for Certification Filed by Creditor Michigan Council 25 Of The American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees
34	12/11/2013	1945	Opinion Regarding Eligibility (RE: related document(s), 821 First Amended Order Regarding Eligibility Objections).
35	12/12/2013	2113	Motion of The Official Committee of Retirees Request For Certification of The Eligibility Determination For Direct Appeal To The United States Court of Appeals For The Sixth Circuit Pursuant To 28 U.S.C. § 158(D)(2) and Federal Rule of Bankruptcy Procedure Rule 8001(F) Filed by Retiree Committee Official Committee of Retirees
36	12/15/2013	2160	Motion of the Retiree Association Parties to Certify "Opinion Regarding Eligibility" and "Order for Relief Under Chapter 9 of the Bankruptcy Code" for Direct Appeal to the Court of Appeals Filed by Interested Parties Detroit Retired City Employees Association, Shirley V Lightsey, Retired Detroit Police and Fire Fighters Association, Donald Taylor, Creditors Shirley V Lightsey, Donald Taylor (Attachments: # 1 Index List of Attachments # 2 Exhibit 1 # 3 Exhibit 2 # 4 Exhibit 3 # 5 Exhibit 4 # 6 Exhibit 5 # 7 Exhibit 4)
37			Motion of the Retired Detroit Police Members Association to Certify this

			<i>Court's Eligibility Ruling for Direct Appeal to the Sixth Circuit Court of Appeals Filed by Creditor Retired Detroit Police Members Association</i>
38	12/16/2013	2135	Memorandum Notice and Supplement to Detroit Retirement Systems' Motion to Certify Appeal Re: Certification of Appeal in San Bernardino Case Filed by Creditors General Retirement System of the City of Detroit, Police and Fire Retirement System of the City of Detroit (RE: related document(s)1933 Motion of the Detroit Retirement Systems to Certify This Court's Eligibility Ruling for Direct Appeal to the Sixth Circuit Court of Appeals (RE: Notice of Appeal [Dkt. No. <u>1930</u>]), <u>2118</u> Reply - motions)
39	12/19/2013	2192	Motion ~ Request of International Union, UAW and Flowers Plaintiffs for Certification Permitting Immediate and Direct Appeal to the Sixth Circuit from the Court's Eligibility Determinations Filed by Creditor International Union, United Automobile, Aerospace and Agricultural Implement Workers of America
40	12/20/2013	2254	Amended Motion for Direct Certification of Appeal to Sixth Circuit and Certificate of Service Filed by Creditors Detroit Fire Fighters Association, I.A.F.F. Local 344, Detroit Police Command Officers Association, Detroit Police Officers Association (Attachments: # 1 Exhibit 1 - Part 1 of 6 # 2 Exhibit 1 - Part 2 of 6 # 3 Exhibit 1 - Part 3 of 6 # 4 Exhibit 1 - Part 4 of 6 # 5

			Exhibit 1 - Part 5 of 6 # 6 Exhibit 1 - Part 6 of 6)
41	02/21/2014	2269	Memorandum Regarding: I. Certification Under 28 U.S.C. Section 158(d) (2) (A) (i) II. Recommendation on Whether Direct Appeals Should Be Authorized and III. Parties' Request to Recommend Expedited Consideration of Appeals (RE: related document(s) <u>2268</u> Order on Certification Regarding Direct Appeal to the Court of Appeals)
42	02/21/2014	2708	Plan for the Adjustment of Debts of the City of Detroit
43	02/21//2014	2709	Disclosure Statement with Respect to Plan for the Adjustment of the Debts of the City of Detroit
44	03/16/2014	2802	Motion to Approve Compromise under Rule 9019 / <i>Motion of Debtor for Entry of an Order, Pursuant to Section 105(a) of the Bankruptcy Code and Bankruptcy Rule 9019, Approving a Settlement and Plan Support Agreement and Granting Related Relief</i> Filed by Debtor In Possession City of Detroit, Michigan (Attachments: # 1 Exhibit 1 # 2 Exhibit 2 # 3 Exhibit 3 # 4 Exhibit 4 # 5 Exhibit 5 # 6 Exhibit 6)
45	03/31/2013	2839	Order Granting Motion for Direct Appeal (RE: related document(s) <u>1909</u> Motion for Leave to Appeal filed by Creditor Michigan Council 25 Of The American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City

			<p>of Detroit Retirees, 1933 Generic Motion filed by Creditor General Retirement System of the City of Detroit, Creditor Police and Fire Retirement System of the City of Detroit, 2060 Generic Motion filed by Retiree Committee Official Committee of Retirees, 2068 Generic Motion filed by Creditor Donald Taylor, Interested Party Retired Detroit Police and Fire Fighters Association, Interested Party Donald Taylor, Interested Party Detroit Retired City Employees Association, Interested Party Shirley V Lightsey, Creditor Shirley V Lightsey, 2113 Generic Motion filed by Creditor Retired Detroit Police Members Association, 2254 Generic Motion filed by Creditor Detroit Fire Fighters Association, I.A.F.F. Local 344, Creditor Detroit Police Officers Association, Creditor Detroit Police Command Officers Association, 2376 Declaration filed by Creditor Michigan Council 25 Of The American Federation of State, County & Municipal Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees</p>
46	03/31/2014	3380	Amended Plan for the Adjustment of Debts of the City of Detroit
47	03/31/2014	3382	Amended Disclosure with Respect to Amended Plan for the Adjustment of Debts of the City of Detroit

48	03/31/2014	3390	John P. Quinn's Objections to Disclosure Statement
49	03/31/2014	3392	Appearance of John P. Quinn on his Own Behalf and Consent to Electronic Service
50	04/02/2014	3485	Objection of Jamie S. Fields to City of Detroit's Motion for an Order Approving Amended Disclosure Statement With Respect to the Plan of Adjustment Dated March 31, 2014
51	04/16/2013	4103	Statement of Unresolved Objections to the Disclosure Statement Filed by Debtor In Possession City of Detroit, Michigan (RE: related document(s) <u>2709</u> Disclosure Statement, <u>3382</u> Amended Disclosure Statement)
52	04/15/2014	4140	Second Amended Plan for the Adjustment of Debts of the City of Detroit
53	04/16/2014	4141	Second Amended Disclosure Statement with Respect to Second Amended Plan for the Adjustment of Debts of the City of Detroit
54	05/05/2014	4272	Third Amended Disclosure Statement <i>with Respect to Third Amended Plan for the Adjustment of Debts of the City of Detroit</i> Filed by Debtor In Possession City of Detroit, Michigan (RE: related document(s) <u>2709</u> Disclosure Statement). (Attachments: # 1 Exhibit A # 2 Exhibits B through M) Prior Disclosure Statements (Doc. <u>4141</u> , <u>3382</u> , <u>2709</u>)

55	04/25/2014	4271	Third Amended Plan for the Adjustment of Debts of the City of Detroit
56	05/05/2014	4391	Fourth Amended Disclosure Statement with Respect to Fourth Amended Plan for the Adjustment if the Debts of the City of Detroit
57	05/05/2014	4392	City of Detroit's Fourth Amended Plan of Adjustment Dated May 5, 2014
58	05/05/2014	4402	Objection of Jamie S. Fields to the City of Detroit's Fourth Amended Plan of Adjustment Dated May 5, 2014 Related Objections (Doc. <u>6996, 6671, 6642</u>)
59	05/27/2014	5032	Creditor's Jamie S. Fields Memorandum Identifying Issues of Law Relating to the Confirmation of the Fourth Amended Plan for the Adjustment of Debts of City of Detroit, Michigan
60	05/26/2014	5034	Consolidated Reply to Certain Objections to Confirmation of Fourth Amended Plan for the Adjustment of Debts of the City of Detroit
61	06/17/2014	5049	John P. Quinn's Attempted Compliance with Order Regarding Identifying Legal Issues Relating to Confirmation
62	06/20/2014	5338	Attorney General's Approval of DIA Settlement
63	06/20/2014		<i>Motion of the General Retirement System of the City of Detroit to Designate and Determine Additional Legal Issue Regarding Methodology for ASF Recoupment From Retirees Filed</i>

			by Creditor General Retirement System of the City of Detroit
64	07/01/2014	5668	Order Modifying The Order Identifying Legal Issues, Establishing Supplemental Briefing Schedule And Setting Hearing Dates And Procedures [Docket No. <u>5235</u>], (RE: related document(s), <u>5634</u> Stipulation filed by Debtor In Possession City of Detroit, Michigan).
65	07/02/2014	5723	John P. Quinn's Objections to Fourth Amended Plan of Adjustment
66	07/02/2014	5746	Order Denying Motion of Creditors to View Or, In the Alternative, Unseal Supplemental Order Regarding Mediation Confidentiality (# <u>5358</u>) (Related Doc # <u>5358</u>).
67	07/22/2014	5964	Objection (Ochadleus Objectors) and Brief in Support Fourth Amended Plan for the Adjustment of Debts of the City of Detroit (May 5, 2014) Related (Doc. 4932, 5816)
68	07/22/2014	6197	Joint Motion of Objecting Creditors Michael J. Karwoski and John P. Quinn for Briefing Schedule and Hearing on Certain of Movants= Objections to Fourth Amended Plan of Adjustment
69	07/25/2014	6210	Corrected Joint Motion of Objecting Creditors Michael J. Karwoski and John P. Quinn for Briefing Schedule and Hearing on Certain of Movants' Objections to Fourth Amended Plan of Adjustment

70	07/25/2014	6257	Fifth Amended Plan for the Adjustment if the Debts of the City of Detroit
71	07/25/2014	6379	Fifth Amended Chapter 9 Plan <i>Corrected Fifth Amended Plan for the Adjustment of Debts of the City of Detroit</i> Filed by Debtor In Possession City of Detroit, Michigan (RE: related document(s)2708 Chapter 9 Plan). (Attachments: # 1 Exhibit I.A.6 through I.A.207 # 2 Exhibit I.A.209 through I.A.244 # 3 Exhibit I.A.245 through I.A.310 # 4 Exhibit I.A.317 # 5 Exhibit II.B.3.q.ii.A through II.D.6)
72	08/14/2014	6508	Official Committee of Retirees= Memorandum of Law in Support of Confirmation of Fifth Amended Plan for Adjustment of Debts Filed by the City of Detroit, Michigan
73	08/11/2014	6791	Motion to <i>Exclude the Testimony of Kenneth A. Buckfire Regarding Creditor Recoveries Upon Dismissal of the Bankruptcy Case</i> Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Exhibit 1 - Proposed Order # 2 Exhibit 2 - Notice of Motion and Opportunity to Object # 3 Exhibit 3 - None [Brief Not Required] # 4 Exhibit 4 - None [Separate Certificate of Service to be Filed] # 5 Exhibit 5 - Affidavits [Not Applicable] # 6 Exhibit 6-A - Expert Report of Kenneth Buckfire In Support of City of Detroit's Plan of Adjustment

			# 7 Exhibit 6-B - July 16, 2014 K. Buckfire Deposition Transcript # 8 Exhibit 6-C - July 14, 2014 R. Cline Deposition Transcript # 9 Exhibit 6-D - July 22, 2014 K. Orr Deposition Transcript # 10 Exhibit 6-E - July 23, 2014 C. Moore Deposition Transcript)
74	08/20/2014	6802	Order Requiring City to Respond to Certain Pro Se Objections to Confirmation
75	08/20/2014	6908	Sixth Amended Plan for the Adjustment of Debts of the City of Detroit
76	08/22/2014	6975	Motion in <i>Limine</i> Barring the City from Introducing Evidence Regarding the Combined Recoveries of Pension and OPEB Claims Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Index Summary of Exhibits # 2 Exhibit 1 - Proposed Order # 3 Exhibit 2 - Notice of Motion and Opportunity to Object # 4 Exhibit 3 - None [Brief Not Required] # 5 Exhibit 4 - None [Separate Certificate of Service to be Filed] # 6 Exhibit 5 - Affidavits [Not Applicable] # 7 Exhibit 6 A - Nov. 8, 2013 Eligibility Hearing Transcript # 8 Exhibit 6 B - July 16, 2014 K. Buckfire Deposition Transcript # 9 Exhibit 6 C - July 22, 2014 K. Orr Deposition Transcript # 10 Exhibit 6 D - July 30, 2014 email from G. Shumaker to S. Hackney # 11 Exhibit 6 E - March 5, 2014 Hearing Transcript)

77	08/22/2014	6978	<p><i>Motion in Limine to Preclude Debtor from Offering Evidence Relating to (A) the Recoveries of Classes 10 and 11 Independent of the Funds from the DIA Funding Parties and the State and (B) the Topics Identified in Syncora's Subpoenas to the Foundations Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Index Summary of Exhibits # 2 Exhibit 1 - Proposed Order # 3 Exhibit 2 - Notice of Motion and Opportunity to Object # 4 Exhibit 3 - None [Brief Not Required] # 5 Exhibit 4 - None [Separate Certificate of Service to be Filed] # 6 Exhibit 5 - Affidavits [Not Applicable] # 7 Exhibit 6 A - June 26, 2014 Hearing Transcript # 8 Exhibit 6 B - John S. and James L. Knight Foundation Subpoena)</i></p>
78	08/22/2014	6979	<p><i>Motion in Limine Barring the City from Introducing Communications Protected by the Court's Mediation Order Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Index Summary of Exhibits # 2 Exhibit 1 - Proposed Order # 3 Exhibit 2 - Notice of Motion and Opportunity to Object # 4 Exhibit 3 - None [Brief Not Required] # 5 Exhibit 4 - None [Separate Certificate of Service to be Filed] # 6 Exhibit 5 - Affidavits [Not Applicable] # 7 Exhibit 6 A - June 30, 2014 G. Bowen Deposition</i></p>

			<p>Transcript # 8 Exhibit 6 B - July 2, 2014 M. Hall Deposition Transcript # 9 Exhibit 6 C - July 14, 2014 G. Malhotra Deposition Transcript # 10 Exhibit 6 D - July 16, 2014 K. Buckfire Deposition Transcript # 11 Exhibit 6 E - July 22, 2014 K. Orr Deposition Transcript # 12 Exhibit 6 F - Plan Confirmation Factual Propositions # 13 Exhibit 6 G - August 13, 2014 S. Taranto Deposition Transcript # 14 Exhibit 6 H - May 28, 2014 Hearing Transcript)</p>
79	08/22/2014	6990	<p>Motion / Financial Guaranty Insurance Company's Motion in Limine to Preclude the Introduction of Evidence or Testimony Regarding Certain Matters Previously Deemed Irrelevant by the Court or the City of Detroit Filed by Creditor Financial Guaranty Insurance Company (Attachments: # 1 Exhibit Proposed Form of Order # 2 Exhibit Notice # 3 Exhibit None [Brief Not Required] # 4 Exhibit Certificate of Service # 5 Exhibit None [No Affidavit] # 6 Exhibit July 21-22, 2014, Deposition Transcript of Kevyn Orr (excerpted) # 7 Exhibit July 22, 2014 Expert Witness Report of Stuart Ira Wohl (excerpted) # 8 Exhibit August 13, 2014 Deposition Transcript of Stuart Ira Wohl (excerpted) # 9 Exhibit July 31, 2014 Deposition Transcript of Rip Rapson</p>

			(excerpted) # 10 Exhibit Emails (K001265-1266; 1272-1273) # 11 Exhibit August 4, 2014 Deposition Transcripts of D. Muchmore (excerpted))
80	08/22/2014	6997	Motion Syncora Guarantee Inc. and Syncora Capital Assurance Inc.'s Motion to Exclude the Testimony of John W. Hill Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Index Summary of Exhibits # 2 Exhibit 1 - Proposed Order # 3 Exhibit 2 - Notice of Motion and Opportunity to Object # 4 Exhibit 3 - None [Brief Not Required] # 5 Exhibit 4 - None [Separate Certificate of Service to be Filed] # 6 Exhibit 5 - Affidavits [Not Applicable] # 7 Exhibit 6 A - Expert Report of John Hill # 8 Exhibit 6 B - Excerpts of July 18, 2014 J. Hill Deposition Transcript # 9 Exhibit 6 C - Excerpts of Expert Report of Martha Kopacz # 10 Exhibit 6 D - Revenue Consensus Conference Report 18/14) # 11 Exhibit 6 E
81	08/22/2014	6999	Motion to Exclude Certain of the Expert Opinions of Martha Kopacz Under Federal Rule of Evidence 702 Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Index Summary of Exhibits # 2 Exhibit 1 - Proposed Order # 3 Exhibit 2 - Notice of Motion and Opportunity to Object # 4 Exhibit 3 - None [Brief Not

			Required] # 5 Exhibit 4 - None [Separate Certificate of Service to be Filed] # 6 Exhibit 5 - Affidavits [Not Applicable] # 7 Exhibit 6 A - Expert Report of Martha Kopacz # 8 Exhibit 6 B - Excerpts of July 31, 2014 M. Kopacz Deposition Transcript # 9 Exhibit 6 C - Order Appointing Expert Witness [Docket No. 4215] # 10 Exhibit 6 D - Excerpts of July 14, 2014 R. Cline Deposition Transcript # 11 Exhibit 6 E - Excerpts of July 15, 2014 G. Malhotra Deposition Transcript # 12 Exhibit 6 F - Excerpts of July 24, 2014 C. Sallee Deposition Transcript)
82	08/25/2014	7004	Motion to Exclude the Testimony of the City's Forecasting Experts Under Federal Rule of Evidence 702 Filed by Interested Parties Syncora Capital Assurance Inc., Syncora Guarantee Inc. (Attachments: # 1 Index Summary of Exhibits # 2 Exhibit 1 - Proposed Order # 3 Exhibit 2 - Notice of Motion and Opportunity to Object # 4 Exhibit 3 - None [Brief Not Required] # 5 Exhibit 4 - None [Separate Certificate of Service to be Filed] # 6 Exhibit 5 - Affidavits [Not Applicable] # 7 Exhibit 6 A - Expert Report of Robert Cline # 8 Exhibit 6 B - Expert Report of Gaurav Malhotra # 9 Exhibit 6 C - Expert Report of Caroline Sallee # 10 Exhibit 6 D - Excerpts of July 14, 2014 R. Cline Deposition

			<p>Transcript # 11 Exhibit 6 E - Excerpts of July 15, 2014 G. Malhotra Deposition Transcript # 12 Exhibit 6 F - Excerpts of July 24, 2014 C. Sallee Deposition Transcript # 13 Exhibit 6 G - Excerpts of July 31, 2014 M. Kopacz Deposition Transcript # 14 Exhibit 6 H - Excerpts of June 24, 2014 G. Evanko Deposition Transcript # 15 Exhibit 6 I - City of Detroit Ten-Year Financial Projections (July 2, 2014) (POA00706519) # 16 Exhibit 6 J - Excerpts of Expert Report of Martha Kopacz # 17 Exhibit 6 K - Excerpts of July 18, 2014 J. Hill Deposition Transcript # 18 Exhibit 6 L - Excerpts of Financial Stability Agreement (City Ex. 032) # 19 Exhibit 6 M - Michigan Municipal League, The Great Revenue Sharing Heist (Feb. 2014) (Syncora Ex. 4462) # 20 Exhibit 6 N - R. Cline Demonstratives (City Ex. 546 and 547) # 21 Exhibit 6 O - Excerpts of KPMG, Independent Auditors' Report (2012) # 22 Exhibit 6 P - Excerpts of Houlihan Lokey Expert Report (July 2014) # 23 Exhibit 6 Q - Excerpts of 6/14/13 City Proposal for Creditors (City Ex. 033) # 24 Exhibit 6 R - Excerpts of Citizens Research Council of Michigan "Detroit City Government Revenues," Report 382, April 2013 (Syncora Ex. 4466) # 25 Exhibit 6 S - Excerpts of the Expert Report of Charles Moore (City Ex. 464))</p>
--	--	--	--

83	08/27/2014	7028	Order Pursuant To (I) 11 U.S.C. Sec. 105, 364(c), 364(d)(1), 364(e), 902, 904, 921, 922 And 928 (A) Approving Post-petition Financing And (B) Granting Liens And (II) Bankruptcy Rule 9019 Approving Settlement Of Confirmation Objections (Related Doc # <u>6644</u>).
84	08/27/2014	7061	Motion <i>The Detroit Retirement Systems' Motion to Exclude Portions of Martha Kopacz's Testimony</i> Filed by Creditors General Retirement System of the City of Detroit, Police and Fire Retirement System of the City of Detroit
85	08/27/2014	7102	Financial Guaranty Insurance Company's Pretrial Brief in Support of Objection to Plan for the Adjustment of Debts of the City of Detroit
86	08/27/2014	7131	Objection of the Detroit Retirement Systems to Syncora's Motion in Limine Barring the City from Introducing Evidence Regarding the Combined Recoveries of Pension and OPEB Claims
87	08/27/2014	7135	Opposition of the Official Committee of Retirees to Syncora's Motion in Limine to Bar the City from Introducing Evidence Regarding the Combined Recoveries of Pension and OPEB Claims [Dkt. <u>6975</u>]
88	08/27/2014	7143	Consolidated (A) Pretrial Brief in Support of Confirmation of Sixth Amended Plan for the Adjustment of Debts of the City and (B)

			Response to (I) Certain Objections Filed by Individual Bondholders and Individual Retirees and (II) Supplemental Objections Related (Doc. <u>7208</u>)
89	08/28/2014	7150	Pre-Trial Brief of Syncora Guarantee, Inc. and Syncora Capital Assurance, Inc. Regarding Proposed Confirmation of the Debtor's Plan of Adjustment
90	09/02/2014	7232	Order Admitting Exhibits (RE: related document(s)7211 Stipulation filed by Debtor In Possession City of Detroit
91	09/05/2014	7303	Objections to Confirmation of the Sixth Amended Plan for the Adjustment of Debts of the City of Detroit Related (Doc. <u>7351, 7342, 6640</u>)
92	09/16/2014	7502	Seventh Amended Chapter 9 Plan for the Adjustment of Debts of the City of Detroit
93	10/02/2014	7781	Second Order Admitting Exhibits
94	10/17/2014	7995	Third Order Admitting Exhibits
95	10/17/2014		Exhibit PS1 4040: PowerPoint Presentation at GRS Informational Meeting (June, 2014) by Michael VanOverbeke, General Counsel, GRS, admitted 10/17/14 per Doc. No. <u>7995</u> , supra.
96	10/21/2014	8029	Notice of Filing of Draft Eight Amended Plan for the Adjustment of the Debts of the City of Detroit,
97	10/22/2014	8045	Eighth Amended Chapter 9 Plan for the Adjustment of Debts of the City of Detroit Filed by Debtor In

			Possession City of Detroit, Michigan (RE: related document(s)2708 Chapter 9 Plan). (Attachments: # 1 Exhibit I.A.9 through I.A.354 # 2 Exhibit I.A.360-Part 1 # 3 Exhibit I.A.360-Part 2 # 4 Exhibit I.A.360-Part 3 # 5 Exhibit I.A.360-Part 4 # 6 Exhibit I.A.360-Part 5 # 7 Exhibit I.A.360-Part 6 # 8 Exhibit I.A.360-Part 7 # 9 Exhibit I.A.360-Part 8 # 10 Exhibit II.B.3.q.ii.A through III.D.2) Prior Plans (Doc. No. <u>7502</u> , <u>6379</u> , <u>6098</u> , <u>4391</u> , <u>4271</u> , <u>4140</u> , <u>3380</u> , <u>2708</u>)
98	10/31/2014	8154	Notice of Filing Proposed Order Confirming Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, including attached proposed order
99	11/11/2014	8249	Notice of Filing Revised Proposed Order Confirming Eighth Amended Plan for the Adjustment of Debts of the City of Detroit, including attached proposed order
100	11/12/2014	8272	Order Confirming Eighth Amended Plan For The Adjustment Of Debts Of The City Of Detroit
101	11/19/2014	8320	Notice of Appeal of the Order Confirming Eighth Plan of Adjustment of Debts of the City of Detroit, Motion for Limited Stay Pending Appeal and Proposed Order Granting Stay Pending Appeal (Jamie S. Fields)
102	11/19/2014	8333	Motion for Limited Stay Pending Appeal

103			Order Ruling on Jamie Fields Motion for Limited Stay Pending Appeal
104			Opinion on Confirmation of Eighth Amended Plan for the Adjustment of Debts of the City of Detroit

II. Statement of issues on appeal.

1. Did the Bankruptcy Court err by deciding the constitutional question of whether pensions could be impaired when consistent with the Tenth Amendment that question should have been avoided?
2. Did the Bankruptcy Court err as a matter of law by confirming the Plan when the Court's consent analysis conflicted with Section 903 of the Code and the Supreme Court's decision in *Bond v United States*?
3. Did the Bankruptcy Court err in confirming the Plan when dismissal of the case would have resulted in a greater recovery for retirees under state law remedies?
4. Did the Bankruptcy Court err as a matter of law by confirming the Plan even though, by attempting to impose the ASF recoupment on claims whose retiree holders have not individually agreed to its application to their claims, the Plan imposes non-consensual less favorable treatment on those claims than on other claims in class 11, in violation of 11 U.S.C. § 1123(a) (4)?
5. Did the Bankruptcy Court err as a matter of law by confirming the Plan even though it purports to adjust not only the City's liability, if any, on the claims included in Class 11, but also GRS's liability on those claims, in violation of 11 U.S.C. § 941?

/s/Jamie S. Fields

Jamie S. Fields (P-52808)

555 Brush #2409

(313) 570-3906

Detroit, Michigan 48226

jeansartre@msn.com

Attorney for Appellants

Respectfully Submitted: November 28, 2014

Name and Address of Interested Parties:

City of Detroit represented by:
David G. Heiman (OH 0038271)
Heather Lennox (OH 0059649)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
dgheiman@jonesday.com
hlennox@jonesday.com

Bruce Bennett (CA 105430)
JONES DAY
555 South Flower Street
Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 243-2382
Facsimile: (213) 243-2539
bbennett@jonesday.com
Thomas F. Cullen, Jr. (DC 224733)
Gregory M. Shumaker (DC 416537)
Geoffrey S. Stewart (DC 287979)
JONES DAY
51 Louisiana Ave., N.W.
Washington, D.C. 20001
Telephone: (202) 879-3939
Facsimile: (202) 626-1700
tfcullen@jonesday.com
gshumaker@jonesday.com
gstewart@jonesday.com
Robert S. Hertzberg (P30261)
Deborah Kovsky-Apap (P68258)

PEPPER HAMILTON LLP
4000 Town Center, Suite 1800
Southfield, MI 48075
Telephone: (248) 359-7300
Facsimile: (248) 359-7700
hertzbergr@pepperlaw.com
kovskyd@pepperlaw.com

Retired Detroit Police Members Association
Represented by:

STROBL & SHARP, P.C.
Lynn M. Brimer (P43291)
Meredith E. Taunt (P69698)
Mallory A. Field (P75289)
300 East Long Lake Road, Suite 200
Bloomfield Hills, MI 48304
Telephone: (248)540-2300
Facsimile: (248) 645-2690
lbrimer@stroblpc.com
mtaunt@stroblpc.com
mfield@stroblpc.com

The Police and Fire Retirement System of the City of Detroit The
General Retirement System of the City of Detroit
Represented by:

CLARK HILL PLC
Robert D. Gordon (P48627)
Shannon L. Deeby (P60242)
Jennifer K. Green (P690 19)
Evan J. Feldman (P73437)
151 South Old Woodward Avenue, Suite 200
Birmingham, Michigan 48009
Telephone: (248) 988-5882
Facsimile: (248) 988-2502
rgordon@clarkhill.com

ARNOLD & PORTER LLP Lisa
Hill Penning 777 South Figueroa
Street 44th Floor
Los Angeles, California 90017
Telephone: (213)243-4000
Facsimile: (213) 243-4199
lisa.fenning@aporter.com

MILLER, CANFIELD, PADDOCK AND STONE, P.L.C.

Jonathan S. Green (MI P33 140)

Stephen S. LaPlante (MI P48063)

150 West Jefferson Suite 2500

Detroit, Michigan 48226

Telephone: (313) 963-6420

Facsimile: (313) 496-7500

green@millercanfield.com

laplante@millercanfield.com

The Detroit Fire Fighters Association

The Detroit Police Officers Association

The Detroit Police Lieutenants & Sergeants Association

The Detroit Police Command Officers Association

Represented by:

ERMAN, TEICHER, MILLER, ZUCKER & FREEDMAN, P.C.

Earle I. Erman (P24296)

Craig E. Zucker (P39907)

Barbara A. Patek (P34666)

400 Galleria Office Centre, Suite 444

Southfield, MI 48034

Telephone: (249) 827-4100

Facsimile: (248) 827-4106

bpatek@ermanteicher.com

International Union of Operating Engineers, Local 324

Represented by:

SACHS WALDMAN, P.C.

Andrew Nickelhoff (P37990).

Mami Kato (P74237)

221 1 East Jefferson Avenue, Suite 200

Detroit, MI 48207

Telephone: (313) 496-9429

Facsimile: (313) 965-4602

anickelhoff@sachswaldman.com

mkato@sachswaldman.com

Service Employees International Union, Local 517M

Represented by:

SACHS WALDMAN, P.C.

Andrew Nickelhoff (P37990)

Mami Kato (P74237)

221 1 East Jefferson Avenue, Suite 200

Detroit, MI 48207

Telephone: (313)496-9429

Facsimile: (313)965-4602

anickelhoff@sachswaldman.com

mkato@sachswaldman.com

David Sole

Represented by:

JEROME D. GOLDBERG, PLLC

Jerome D. Goldberg (P61678)

2921 East Jefferson, Suite 205

Detroit, MI 48207

Telephone: (313)393-6001

Facsimile: (313)393-6007

apclawyer@sbcglobal.net

The Retired Detroit Police & Fire Fighters Association

Donald Taylor, individually and as President of the Retired Detroit Police & Fire Fighters Association

The Detroit Retired City Employees Association

Shirley V. Lightsey, individually and as President of the Detroit Retired City Employees Association

Represented by:

LIPPITT O'KEEFE, PLLC Brian D. O'Keefe

(P39603) Ryan C. Plecha (P71957) 370 East

Maple Road, 3rd Floor Birmingham, MI

48009 Telephone: (248) 646-8292

rplecha@lippittokeefe.com

SILVERMAN & MORRIS, P.L.L.C.

Thomas R. Morris (P39141)

30500 Northwestern Highway, Suite 200

Farmington Hills, MI 48334

(248) 539-1330

morris@silvermanmorris.com

Robbie Flowers
Michael Wells Janet
Whitson Mary
Washington Bruce
Goldman
Represented by:

William A. Wertheimer (P26275)
30515 Timberbrook Lane
Bingham Farms, MI 48025
Telephone: (248) 644-9200

Michigan Council 25 of the American Federation of State, County & Municipal
Employees, AFL-CIO and Sub-Chapter 98, City of Detroit Retirees (AFSCME)
Represented by:

LOWENSTEIN SANDLER LLP
Sharon L. Levine, Esq.
Wojciech F. Jung, Esq.
Philip J. Gross, Esq.
65 Livingston Avenue
Roseland, NJ 07068
Telephone: (973) 597-2500
Facsimile: (973) 597-6247
slevine@lowenstein.com
wjung@lowenstein.com
pgross@lowenstein.com

THE SANDERS LAW FIRM PC
Herbert A. Sanders, Esq. 615 Griswold
St., Suite 913 Detroit, MI 48226
Telephone: (313)962-0099 Facsimile:
(313)962-0044)
sanders@miafscme.org

MILLER COHEN, P.L.C. Richard G. Mack, Jr.,
Esq. 600 West Lafayette Boulevard 4th Floor
Detroit, MI 48226

International Union, United Automobile, Aerospace and Agricultural Implement
Workers of America
Represented by:

COHEN, WEISS AND SIMON LLP

Babette A. Ceccotti

Keith E. Secular

Thomas N. Ciantra

Joshua J. Ellison

330 West 42nd Street

New York, NY 10036

Telephone: (212) 563-4100

Facsimile: (212) 695-5436

bceccotti@cwsny.com

Niraj R. Ganatra (P63150) Michael

Nicholson (P33421) 8000 East

Jefferson Avenue Detroit, MI 48214

Telephone: (313)926-5216

Facsimile: (313)926-5240

nganatra@uaw.net

mnicholson@uaw.net

Center for Community Justice and
Advocacy

Represented by:

VANESSA G. FLUKER, ESQ. PLLC

Vanessa G. Fluker, Esq. PLLC

2921 East Jefferson, Suite 200

Detroit, MI 48207

Telephone: (313) 393-6005

Facsimile: (313) 393-6007

vgflawyer@sbcglobal.net

The Retiree Committee of the City of Detroit
Represented by:

DENTON S US LLP
Carole Neville
1221 Avenue of the Americas
New York, New York 10020
Tel: (212) 768-6700
Fax: (212) 768-6800
carole.neville@dentons.com

DENTONS US LLP
Sam J. Alberts
1301 K Street, NW Suite 600, East Tower
Washington, DC 20005-3364
Telephone: (202) 408-6400
Facsimile: (202) 408-6399
sam.alberts@dentons.com

SALANS FMC SNR DENTON EUROPE LLP
Claude D. Montgomery (P29212)
Rockefeller Center
620 Fifth Avenue
New York, New York 10020
Telephone: (212) 632-8390
claudemontgomery@dentons.com

BROOKS WILKINS SHARKEY & TURCO PLLC
Matthew E. Wilkins (P56697)
Paula A. Hall (P61101)
401 South Old Woodward, Suite 400
Birmingham, Michigan 48009
Telephone: (248) 971-1711
Facsimile: (248) 971-1801
wilkins@bwst-law.com
hall@bwst-law.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re)	Chapter 9
City of Detroit,)	Case No. 13-53846
Debtor - Appellee)	Hon. Steven W. Rhodes
)	
William Ochadleus, <i>et. al.</i>)	
Creditors - Appellants)	

DESIGNATION OF TRANSCRIPTS TO BE USED
IN RECORD ON APPEAL

Pursuant to the Bankruptcy Court's Notice of 11/19/2014, regarding changes to Bankruptcy Rules, Official Forms, Fees, and ECF Events Effective December 1, 2014 appellants state: **Transcripts are NOT required for this appeal.**

/s/Jamie S. Fields
Jamie S. Fields (P-52808)
555 Brush #2409
(313) 570-3906
Detroit, Michigan 48226
jeansartre@msn.com

Attorney for Appellants

Respectfully Submitted: November 29, 2014